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No. 32]

NEW DELHI, SATURDAY, AUGUST 8, 1981/SRAVANA 17, 1903

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गृह मंत्रालय

(कामिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 25 जुलाई, 1981

का०आ० 2126.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम केन्द्रीय सिविल सेवा (वर्गीकरण नियंत्रण और अपील) द्वितीय संशोधन नियम, 1981 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 की अनुसूची के भाग V में,—

(i) क्रम सं० 1 की मद (ख) की उपमद (vii) के सामने स्तम्भ 1 में, "एयर आफिसर-इन-चार्ज, प्रशासन, वायु मुख्यालय" शब्दों के स्थान पर "एयर आफिसर-इन-चार्ज, कामिक, वायु मुख्यालय" शब्द रखे जाएंगे।

(ii) क्रम सं० 2 की मद (ख) की उपमद (vii) के सामने स्तम्भ 3 और 4 में, "एयर आफिसर-इन-चार्ज, प्रशासन, वायु मुख्यालय" शब्दों के स्थान पर, जहाँ कहीं भी वे पाते हैं, "एयर आफिसर-

इन-चार्ज, कामिक, वायु मुख्यालय" शब्द रखे जाएंगे।

[संख्या 11012/1/81-स्था० (क)]

शी० एम० निम, उप मन्त्रि

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 25th July, 1981

S.O. 2126.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely :—

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) Second Amendment Rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Central Civil Services (Classification, Control and Appeal) Rules, 1965, in Part V,—

(i) in serial number 1, in item (B), against sub-item (vii) in column 4, for the words "Air Officer-in-Charge, Administration, Air Headquarters", the words "Air Officer-in-Charge, Personnel, Air Headquarters", shall be substituted.

- (ii) in serial number 2, in item (B) against sub-item (vii), in columns 3 and 4 for the words "Air Officer-in-Charge, Administration, Air Headquarters", wherever they occur, the words "Air Officer-in-Charge, Personnel, Air Headquarters", shall be substituted.

[No. 11012/1/81-Estt (A)]

B. S. NIM, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 13 फरवरी, 1981

आय-कर

का० आ० 2127.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23 ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 'सुन्दरम-चैरिटीज' को निर्धारण वर्ष 1980-81 से 1981-82 तक के अन्तर्गत आने वाली अवधि के लिये उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3846/का० सं० 197/89/80-आ० क० (ए० 1)]

वी० बी० श्रीनिवासन, उप सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 13th February, 1981

(INCOME-TAX)

S.O. 2127.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income tax Act, 1961 (43 of 1961), the Central Government hereby notifies 'Sundaram Charities' for the purpose of the said section for the period covered by assessment years 1980-81 to 1981-82.

[No. 3846/F. No. 197/89/80-IT (AI)]

V. B. SRINIVASAN, Dy. Secy.

नई दिल्ली, 28 मई, 1981

आय-कर

का० आ० 2128.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23 ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "थिरु जेर मट्टु हाकषर, विरुक्कुर-गुडी (तमिलनाडु)" को निर्धारण वर्ष 1976-77 से 1981-82 के लिये प्रारंभ से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3977/का० सं० 197/113/79 आ० क० (ए 1)]

के० के० पाण्डे, अवर सचिव

New Delhi, the 28th May, 1981

INCOME TAX

S.O. 2128.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Thiru Jer Mutt, Thirukkuraungudi P. O. (Tamil Nadu)" for the purpose of the said section for and from the assessment years 1976-77 to 1981-82.

[No. 3977/F. No. 197/113/79-IT(AI)]

K. K. PANDEY, Under Secy.

नई दिल्ली, 3 जुलाई, 1981

प्रधान कार्यालय संस्थापन

का० आ० 2129.—केन्द्रीय प्रत्यक्ष कर बोर्ड (कारद्वार के संयवहार-का विनियमन) नियम, 1964 के नियम 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री जगदीश चन्द, सदस्य, केन्द्रीय प्रत्यक्ष कर बोर्ड तथा पदेन अवर सचिव भारत सरकार को 30-6-81 के अवसराहृत से अगला आदेश होने तक, केन्द्रीय प्रत्यक्ष कर बोर्ड का अध्यक्ष नियुक्त करती है।

[का० सं० ए० 19011/32/79-प्रशा० I]

ए० एन० सरीन, अवर सचिव

New Delhi, the 3rd July, 1981

HEADQUARTERS ESTABLISHMENT

S.O. 2129.—In exercise of the powers conferred by Rule 3 of the Central Board of Direct Taxes (Regulation of Transaction of Business) Rules, 1964, the Central Government hereby appoints Shri Jagdish Chand, Member, Central Board of Direct Taxes & ex-officio Additional Secretary to the Government of India, as Chairman of the Central Board of Direct Taxes with effect from 30-6-81 (A.N.) and until further orders.

[F. No. A. 19011/32/79-Ad. I]

A. N. SAREEN, Under Secy.

आवेश

नई दिल्ली, 22 जुलाई, 1981

स्टाम्प

का० आ० 2130.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा, गुजरात राज्य सड़क परिवहन निगम को मात्र बयासी हजार पांच सौ रुपये के उस समेकित स्टाम्प शुल्क की प्रदायगी करने की अनुमति देती है जो उक्त निगम द्वारा जारी किये जाने वाले एक करोड़ दस लाख रुपये के संकलित मूल्य के "7% गु० रा० सं० प० नि० डिसेम्बर बाण्ड, 1955" पर प्रभावी है।

[सं० 15/81/स्टाम्प-का० सं० 33/18/81-वि० क०]

जी० एस० मेहरा, अवर सचिव

ORDER

New Delhi, the 22nd July, 1981

STAMPS

S.O. 2130.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Gujarat State Road Transport Corporation to pay consolidate stamp duty of eighty two thousand five hundred rupees only, chargeable on account of the stamp duty on "7 per cent GSKTC Debenture Bonds 1955" of the face value of one crore and ten lakhs of rupees to be issued by the said Corporation.

[No. 15/81-Stamp-F. No. 33/18/81-ST]

G. S. MEHRA, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 24 जुलाई, 1981

का० आ० 2131.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती

है कि उक्त अधिनियम की तीसरी अनुसूची में फार्म 'क' पर संलग्न टिप्पणी (ब) के उपबंध 31 दिसम्बर, 1980 की स्थिति के अनुसार तैयार किये गये, विजया बैंक के तुलनपत्रों पर उस सीमा तक लागू नहीं होंगे, जब उक्त फार्म की सम्पत्ति तथा परिसम्पत्ति शीर्ष की सब 4 के किन्हीं उपशीर्ष (2), (3), (4) तथा (5) के सामने अन्तर के कालम में दिखाया गया मूल्य उस उपशीर्ष के अन्तर्गत निवेशों के बाजार मूल्य से बढ़ जायेगा। उपशीर्ष के अन्तर्गत किये गये निवेशों का बाजार मूल्य फोर्टों के अन्तर अलग से दिखाया गया है।

[संख्या 15(9)/81-बी० प्रो०-III]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 24th July, 1981

S.O. 2131.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Note (f) appended to the Form 'A' in the Third Schedule of the said Act shall not apply to the Vijaya Bank in respect of its balance-sheet as on the 31st December 1980, which when the value shown in the inner column against any of the sub-heads (ii), (iii), (iv) and (v) of the item 4 of the Property and Assets side of the said Form exceeds the market value of the investments under that sub-head, shows separately within brackets the market value of the investments under that sub-head.

[No. 15/9/81-B. O. III]

का० आ० 2132—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सफारिश पर, एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 31 के उपबंध 31 अगस्त, 1981 की अवधि तक यूनाइटेड इंडस्ट्रियल बैंक लि० पर उस सीमा तक लागू नहीं होंगे जहाँ तक उक्त उपबंधों के अधीन इस बैंक की लेखापरीक्षक रिपोर्ट के साथ लेखों तथा तुलनपत्र को विनिर्दिष्ट रूप में प्रकाशित करना तथा 30 जून, 1981 तक की बढ़ाई गई अवधि के भीतर रिजर्व बैंक को उनकी 3 प्रतियाँ रिटर्नों के रूप में प्रस्तुत करना आवश्यक है।

[संख्या 15(15)/81-बी० प्रो०-III]

बी० आर० मेहमी, अवतर सचिव

S.O. 2132.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 31 of the said Act shall not apply to the United Industrial Bank Ltd. upto 31st August, 1981 in so far as it is required to publish the accounts and balance sheet together with the Auditor's report in the prescribed manner and submit three copies thereof as returns to the Reserve Bank within the extended period upto 30th June, 1981.

[No. 15(15)/81-B.O. III]

B. R. MEHMI, Under Secy.

नई दिल्ली, 24 जुलाई, 1981

का० आ० 2133—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सफारिश पर, एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 31 के उपबंध 31 जुलाई,

1981 तक विजया बैंक पर उस सीमा तक लागू नहीं होंगे जहाँ तक उक्त उपबंधों के अधीन इस बैंक की लेखापरीक्षक रिपोर्ट के साथ 30 जून, 1981 तक की बढ़ाई गई अवधि के भीतर रिजर्व बैंक को उनकी 3 प्रतियाँ रिटर्नों के रूप में प्रस्तुत करना आवश्यक है।

[संख्या 15(16)/81-बी० प्रो०-III]

New Delhi, the 24th July, 1981

S.O. 2133.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act shall not apply to the Vijaya Bank upto 31st July, 1981, in so far as it is required to publish the accounts and balance-sheet together with the Auditor's report in the prescribed manner and submit three copies thereof as returns to the Reserve Bank with the extended period upto 30th June, 1981.

[No. 15/16/81-B. O. III]

नई दिल्ली, 27 जुलाई, 1981

का० आ० 2134—गोवा, दमन एवं दीव (बैंक पुनर्निर्माण) विनियम, 1962 के विनियम 4(1) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, एतद्वारा भारतीय स्टेट बैंक के मध्य प्रबंध ग्रेड स्केल III के अधिकारी श्री राममूर्ति चंद्रशेखरन को श्री वी० एन० नादकर्णी के स्थान पर, उनके पद संभालने की तारीख से अपने आदेशों के जारी होने तक, बैंकों नेशनल प्रस्टीटेजियो एंड वेक्स इकोनोमिक डि० गोवा का अभिरक्षक (कस्टोडियन) नियुक्त करती है।

[सं० 22/3/81-बी० प्रो०-III]

अशोक नारायण, निदेशक

New Delhi, the 27th July, 1981

S.O. 2134.—In exercise of the powers conferred under Regulation 4(1) of the Goa, Daman and Diu (Banks Reconstruction) Regulation 1962, the Central Government, hereby appoints Shri Ramamurthi Chandrasekharan, Officer, Middle Management Grade Scale III in the State Bank of India as the Custodian of Banco Nacional Ultramarino and Caixa Economica de Goa, with effect from the date he takes over, until further orders, vice Shri V. N. Nadkarni.

[No. 22/3/81-B.O. III]

ASHOK NARAYAN, Director.

आवृत्त आवृत्त का कार्यालय, हरिदाणा

रोहतास, 16 जुलाई, 1981

का० आ० 2135—केन्द्रीय सरकार की राय है कि लोकहित में यह आवश्यक तथा समीचीन है कि 31-3-1981 को दो वर्ष या अधिक की अवधि के लिये 1,00,000 रु० अथवा उससे अधिक कर की अवधि में चुक कर लेने वाले व्यक्तियों से सम्बंधित यहाँ इसके पश्चात् विनिर्दिष्ट भाग तथा अन्य विनिर्दिष्ट प्रकाशित की जायें।

और यतः आयकर अधिनियम, (1961 का 43) की धारा 287 द्वारा प्रदत्त शक्तियों तथा इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने अपने आदेश विनांक 10 अगस्त, 1977 द्वारा सभी आयकर आवृत्तों को वित्तीय वर्ष 1980-81 के अन्त में उनके अधिकार क्षेत्र के भीतर स्थित करदाताओं से सम्बंधित नाम, पते तथा कर चुक की राशि प्रकाशित करने के लिये अधि कृत किया है।

अतः अब केन्द्रीय सरकार द्वारा दिनांक 10 अगस्त, 1977 के पूर्वोक्त आदेश द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, मैं इसमें संलग्न अनुसूची में पूर्वोक्त करदाताओं के नाम तथा अन्य विशिष्टताएँ एतद्वारा प्रकाशित करता हूँ।

आयकर विभाग, हरियाणा, रोहतक

आयकर अधिनियम, 1961 की धारा 287 के अधीन चूक-कर्ताओं की सूची तैसी 31-3-1981 की थी (1) चूक की कुल रकम के लिये जो दो वर्ष और उसमें अधिक अवधि के लिये है।

1. श्री ब्यास देव डोगरा, प्रो० सी० डोगरा स्टील इन्डस्ट्रीज, फरीदाबाद (1) रु० 5,49,938

[फा० सं० 418(3)/81-82/मुख्यालय]

टी० आर० अगारवाल, आयकर आयुक्त

OFFICE OF THE COMMISSIONER OF INCOME-TAX HARYANA

Rohtak, the 16th July, 1981

S.O. 2135.—Whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to publish the names and other particulars hereinafter specified relating to persons in default of payment of tax of Rs. 1,00,000 or more for periods exceeding 2 years or more as on 31-3-1981.

And whereas in exercise of the powers conferred by section 287 of the Income-tax Act (43 of 1961), and all other powers enabling them in this behalf the Central Government by its order dated 10th August, 1977 authorised all the Commissioners of Income-tax to publish the names, addresses and the amount of tax in default relating to assesses within their jurisdiction as at the end of financial year 1980-81.

Now, therefore, in exercise of the powers conferred on me by the Central Government by its aforesaid order dated 10th August, 1977, I hereby publish in the schedule, hereto annexed, the names and other particulars of the assesses aforesaid.

INCOME TAX DEPARTMENT, HARYANA, ROHTAK

List of defaulters as on 31-3-1981 under section 287 of the Income-tax Act, 1961; (i) for total amount in default for a period of two years or more.

1. Shri Bias Dev Dogra, Prop. M/s. Dogra Steel Industries, Faridabad (i) Rs. 5,49,938.

[F. N. 418(3)/81-82/HQ]

T. R. AGGARWAL, Commissioner of Income-tax

केन्द्रीय उत्पाद शुल्क समाहर्तलय

कानपुर, 23 मई, 1981

फा० आ० 2136.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 56-क उप नियम (2 ग) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करने हुए, मैं एतद्वारा ऐसे विनिर्माता को अनन्तिम रूप से शुल्क जमा करने की अनुमति प्रदान करने हेतु निम्नलिखित प्रक्रिया और शर्तें निर्धारित करता हूँ जिसे नियम 56-क के अन्तर्गत अनुमति नहीं दी गई हो और वह ऐसे आदेश के विरुद्ध अपील या पुनरीक्षण याचिका प्रस्तुत करता चाहता हो।

I. ऐसे विनिर्माता क्षेत्राधिकारी सहायक समाहर्ता के माध्यम से अनुमति के लिये समाहर्ता को आवेदन कर सकते हैं।

II. ऐसे आवेदन-पत्र के साथ निम्नलिखित प्रलेख होने चाहिये।

(1) क्षेत्राधिकारी सहायक समाहर्ता का पक्ष जिसमें अनुमति प्रदान करने की मनाही की गई हो।

(2) अपील अथवा पुनरीक्षण याचिका की एक प्रति, यदि पहले प्रस्तुत की गई हो, अथवा जब भी प्रस्तुत की जाय।

(3) मूल जी० पी०-1 अथवा अन्य प्रलेख जिसमें यह प्रमाणित होता हो कि शुल्क माल पर शुल्क का भुगतान कर दिया गया है।

(4) फैक्टरी द्वारा रेंज की भेजी गई सी-3 सूचना।

III. समाहर्ता द्वारा प्रेषित अनुमति प्रदान करने के बाद विनिर्माता निम्नलिखित सुविधा को प्राप्त कर सकेंगे और उनमें अपेक्षा की जायेगी कि

(क) वह नियम 56-क के अन्तर्गत अपने कारखाने में प्राप्त निवेशों या अवयवों का परिमापित (तैयार) माल के विनिर्माण में प्रयोग कर सकेंगे।

(ख) वह आर० जी० 23 भाग I एवं II में हिसाब रखेंगे।

(ग) निर्धारित के कारखाने में परिमापित माल की निकासी जिसमें उपरोक्त कच्चा माल प्रयुक्त हुआ है, उचित दर से शुल्क का भुगतान करने पर ही होगी।

IV. समाहर्ता की अनुमति पर अनन्तिम जमा राशि का प्रयोग पार्टी के पक्ष में मामले के निर्णय होने तक नहीं होगा और सदुपरास्त् विनिर्माता द्वारा उसके लिये अनुरोध करने पर समाहर्ता उस पर विशिष्ट आदेश पारित करेंगे।

(V) यदि किसी कारण से जो लिखित रूप में देता होगा, विनिर्माता इस प्रकार जमा की गई राशि का तैयार माल पर देय शुल्क के समतान में प्रयोग नहीं कर सकता है तो वह (विनिर्माता) अनन्तिम रूप में जमा शुल्क के प्रतिदाय हेतु समाहर्ता को आवेदन कर सकता है।

(VI) यदि विनिर्माता अपील या पुनरीक्षण याचिका के लिये विशिष्ट अवधि के भीतर अपील या पुनरीक्षण याचिका प्रस्तुत नहीं करता है या अनुमति अस्वीकृति आदेश अपील अथवा पुनरीक्षण याचिका निर्णय में पुष्ट हो जाये, जैसा भी स्थिति हो, तो अनन्तिम जमा राशि का व्यय समन (नय/समाप्ति) हो जायेगा और विनिर्माता को प्रतिदाय नहीं मिलेगा।

(VII) इस सम्बन्ध में समसंख्यक पृष्ठांक/9449 दिनांक 16-5-81 के अन्तर्गत परिचालित समाहर्तलय की व्यापार सूचना सं० 63/81 (विधि 11/81) की ओर ध्यान आकर्षित किया जाता है।

[मि० सं० 3/1981/नव सं० V(8)(30) प्रा०/81/VI/16769]

जे० रामकृष्णन, समाहर्ता केन्द्रीय उत्पाद शुल्क

CENTRAL EXCISE COLLECTORATE

Kanpur, the 23rd May, 1981

S.O. 2136.—In exercise of the powers conferred upon me under sub-rule (2C) of Rule 56A of the Central Excise Rules, 1944, I hereby prescribe the following procedure and conditions for allowing provisional credit of duty paid on inputs to a manufacturer who has been refused permission under rule 56A and who intends to file an appeal or revision application against such order of refusal:—

(i) Such manufacturers may apply for permission to the Collector of Central Excise, Kanpur through the jurisdictional Assistant Collector.

(ii) Such application should be accompanied by:

(1) Letter of refusal of the Assistant Collector Central Excise of the jurisdiction.

(2) A copy of the appeal or revision application, if already filed or as and when filed.

(3) original GP-1 or other document evidencing payment of duty on excisable goods.

(4) D. 3 intimation sent by the factory for the consignment to the Range.

(iii) After the requisite permission has been granted by the Collector, the manufacturer shall :

(a) be entitled to use inputs or component parts received in his factory in the manufacture of finished products in his factory under rule 56-A.

(b) maintain an account in RG-23 Parts I & II.

(c) The finished goods in which the said raw material has been made use of shall be cleared only on payment of duty from the assessee's factory by paying appropriate duty.

(iv) The provisional credit allowed by the Collector shall not be utilised unless the case is decided in favour of the party and subsequently on request made by the manufacturer, an order of the Collector for the utilisation of the credit is passed thereon.

(v) The manufacturer may apply to the Collector for refund of duty provisionally credited, if for any reason, to be recorded in writing he cannot utilise such credit against duty due on finished goods.

(vi) If the manufacturer does not file an appeal or revision application within the period specified for such appeal or revision or the order of refusal is confirmed in appeal or the revision, as the case may be, the provisional credit shall lapse and the refund will not be available to the manufacturer.

(vii) In this connection, attention is drawn to the Collectorate trade notice No. 63/81 (Misc. No. 11/81) and circulated under endorsement of even C. No. 9449, dated 16-3-1981.

[Notification No. 3/1981/C. No. V(8) (30)1-Tech]
VI/81/16769]

J. RAMAKRISHNAN, Collector of Central Excise

सम.हर्तालय केन्द्रीय उत्पाद शुल्क, मध्य प्रदेश

इंदौर 20, जुलाई 1981

का० आ० 2137.—मध्य प्रदेश समाहर्तालय, इंदौर के श्री जेठागी गणेशगिर, प्रशासनिक अधिकारी, केन्द्रीय उत्पाद-शुल्क समूह 'ख' निर्वाहन की आय प्राप्त करने पर 30-6-81 के अवगन्त से शासकीय सेवा से निवृत्त हुए।

[अधिसूचना सं 12/81/प० सं० II (3) 10-नोप/81/3215]

एस० के० धर, समाहर्ता

CENTRAL EXCISE COLLECTORATE, M.P.

Indore, the 20th July, 1981

S.O. 2137.—Shri Jethagir Ganeshgir, Administrative Officer Central Excise, Group 'B' of Madhya Pradesh Collectorate, Indore, having attained the age of superannuation has retired from Government service in the afternoon of 30-6-81.

[Notification No. 12/81/C. No. II(3) 10-Con./81/3215]

S. K. DHAR, Collector

बाणिज्य मंत्रालय

(बाणिज्य विभाग)

नई दिल्ली, 8 अगस्त, 1981

का० आ० 2138.—निर्यात (क्वान्टिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, संभरण एवं निपटान के महानिदेशालय (निरीक्षण विंग) एन आई बिनिटन, पालियामेंट स्ट्रीट, नई दिल्ली को उससे उपबन्धित अनुमती से विनिर्दिष्ट उपागोधी हटो के निर्यात में पूर्ण निरीक्षण के लिये श्रमिकरण के रूप में और आगे एक वर्ष की अवधि के लिये मान्यता देती है।

अनुसूची

1. अग्निमह मिट्टी की उपागोही हटो
2. आधारभूत उपागोही हटो
3. सिलिका उपागोही हटो
4. अम्ल रोधी अग्निमह हटो
5. मिनिमेनाइट हटो
6. उच्च एलमिना हटो
7. उपागोधी हटो

[सं० 5(5)/79-नि० नि० तथा नि० उ०]

सी० बी० कुक्रेती, संयुक्त निदेशक,

MINISTRY OF COMMERCE

(Department of Commerce)

New Delhi, the 8th August, 1981

S.O. 2138.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a further period of one year the Directorate General of Supplies and Disposal (Inspection Wing) N.I. Building, Parliament Street, New Delhi as an agency for the inspection of Refractory Bricks specified in Schedule annexed hereto prior to export.

SCHEDULE

1. Fireclay Refractory Bricks
2. Basic Refractory Bricks
3. Sillica Refractory Bricks
4. Acid Resisting Refractory Bricks
5. Sillimanite Bricks
6. High Alumina Bricks
7. Insulating Bricks

[No. 5(5)/79-EI&EP]

C. B. KUKRETI, Joint Director

संयुक्त मुख्य निदेशक आयात तथा निर्यात का कार्यालय

मद्रास, 12 जून, 1981

का० आ० 2139.—सर्वश्री करुणा टेक्सटाइल्स, 19-ए-1, पि० एन० रोड, टिफ्टूर को रुपये 26,35,637 तक, आयात नीति पुस्तक 1979-80 के पैरा 174(3) में दर्शाई गयी मर्चों का आयात करने के लिये द्वार ड पी शेणी के अंतर्गत लाइसेंस सं० पी डब्ल्यू-2877497-सी-एक्सएक्स-74-एम-79-0.1 दिनांक 18-2-80 जारी किया गया था। उपर्युक्त लाइसेंस की सीमागुलक प्रयोजनार्थ प्रति खो जाने के कारण, उसकी अनुमति प्रति जारी करने के लिये लाइसेंसधारी ने आवेदन किया है। उनसे यह भी कहा गया है कि लाइसेंस की पंजीकृत, सीमागुलक प्राधिकारी, बंबई से की गयी है और उसका उपयोग अंशतः कर ली गयी है। मूल लाइसेंस की पूरा मूल्य रुपये 26,35,637 थे और अब रुपये 23,91,956 का अनुमति प्रति जारी करने के लिये आवेदन किया गया है।

(2) अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र भी दाखिल किया है। अधोहस्ताक्षरी इन बातों से संतुष्ट हैं कि लाइसेंस संख्या पीडब्ल्यू-2877497-सी-एक्सएक्स-74-एम-79-0.1 दिनांक 18-2-80 की सीमागुलक प्रयोजनार्थ प्रति की मूल प्रति खो दी गयी है और आवेदन देता है कि आवेदक को शेष मूल्य के लिये उपर्युक्त लाइसेंस की सीमागुलक प्रयोजनार्थ प्रति की अनुमति प्रति जारी किया जाय। लाइसेंस की सीमागुलक प्रयोजनार्थ प्रति की मूल प्रति एनडूबारा रद्द किया जाता है।

3. सीमाशुल्क प्रयोजनार्थ प्रति की अनुलिपि प्रति संख्या डी० 2464790 दिनांक 5-6-81 प्रलग जारी किया जाता है।

[संख्या: अतिरिक्त लाइसेंस-4एम-80-भारद्वा-5]

एम० नरसिम्हन्

उप मुख्य नियंत्रक आयात तथा निर्यात,
कुने संयुक्त मुख्य नियंत्रक आयात तथा निर्यात

**Office of the Joint Chief Controller of Imports and Exports
ORDER**

Madras, the 12th June, 1981

S.O. 2139.—M/s. Karuna Textiles, 19-A/1, P. N. Road, Tirupur were granted an additional Licence No. PW/2877497/C/XX/74/M/79/0.1 dated 18-2-80 under R.E.P. Category for import of items as mentioned in Para 174(3) of the policy for 1979-80 for a value of Rs. 26,35,637. They have requested for issue of a duplicate copy of the Customs copy of the above licence which has been lost by them. It has been further reported that the licence has been registered with the Collector of Customs, Bombay and utilised partly. The licence was issued for Rs. 26,35,637 and the value for which the duplicate now required is to cover the balance value of Rs. 23,91,956.

2. In support of their contention, the applicants have filed an affidavit. The undersigned is satisfied that the original Customs Copy of the Licence No. PW/2877497/C/XX/74/M/79/0.1 dated 18-2-80 has been lost and directs that a duplicate Customs Copy of the said licence should be issued to them for the balance value. The original Customs copy of the licence is hereby cancelled.

3. A duplicate Customs copy of the licence No. D 2464790 dated 5-6-81 has been issued separately.

[No. Addl. Lic. 4/AM. 80/REP. V]

**S. NARASIMHAN, Dy. Chief Controller of Imports and Exports
For Joint Chief Controller of Imports and Exports**

संयुक्त मुख्य नियंत्रक, आयात एवं निर्यात का कार्यालय

हैदराबाद, 4 मार्च, 1981

लाइसेंस रद्द करने का आदेश

का० आ० 2140.—सर्वश्री प्रो० एम० आई० केम वसुयें फेज इन्डस्ट्रियल एरिया, पट्टनचेरु को अप्रैल-मार्च 81 की नीति के अनुसार अप्रैल 1980—मार्च 1981 की आयात नीति पुनर्क के परिणित-5 में विशिष्ट कुल कच्चे माल के आयात के लिये 1,40,000/- रुपये लागत बीमा भाड़ा मूल्य का एक आयात लाइसेंस संख्या पी/एम/1826371/सी/एक्स एक्स/75/डब्ल्यू/81 दिनांक 12-6-80 प्रदान किया गया था, पार्टी ने उपर्युक्त आयात लाइसेंस की अनुलिपि सीमा शुल्क प्रयोजन प्रति प्रदान करने के लिये इस आधार पर आवेदन किया है कि उनसे लाइसेंस की मूल सीमा-शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है। पार्टी ने आयात व्यापार नियंत्रण नियमों के अनुसार एक आवश्यक शपथ-पत्र प्रस्तुत किया है जिसके अनुसार आयात लाइसेंस की उक्त सीमा शुल्क प्रयोजन प्रति किसी भी सीमाशुल्क कार्यालय के पास पंजीकृत नहीं थी। पार्टी ने यह भी बताना दिया है कि यदि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति बाध में प्राप्त हो गई अथवा मिला गई तो उसे लाइसेंस प्राधिकारी को लौटा देंगे।

2. मैं संतुष्ट हूँ कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है और निवेश देता हूँ कि आवेदक को लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति जारी की जाये। मूल लाइसेंस की सीमा शुल्क प्रयोजन प्रति एम० आर० रद्द की जाती है।

[सं० आई टी सी/ए यू/19/एम एस आई/ए एम81/एन आई डी]

एम० बी० प्रधान, उप-मुख्य नियंत्रक आयात-निर्यात

**MINISTRY OF COMMERCE OFFICE OF THE JOINT
CHIEF CONTROLLER OF IMPORTS AND EXPORTS**

Hyderabad, the 4th March, 1981

CANCELLATION ORDER

S.O. 2140.—M/s. O. M. Dye Chem. IV phase Industrial Estate Pattancheru, were granted an import licence No. P/S/1826371/C/XX/75/W/81 dated 12-6-80 for a C.I.F. value of Rs. 1,40,000 for import of Raw-Materials specified in Appendix-5 of Import Policy Book for April, 1980—March 1981 as per AM 81 Policy. The party has applied for grant of duplicate customs purpose copy for the aforesaid import licence on the ground that the original customs purpose copy of licence has been lost/misplaced by them. The party has furnished necessary affidavit as per ITC rules according to which the aforesaid customs purpose copy of import licence was not registered with any of the customs. The party has also undertaken to return the licensing authority the original customs purpose copy of the licence if it is traced or found lateron.

2. I am satisfied that the original customs purpose copy of the licence has been lost/misplaced and direct that duplicate customs purpose copy of licence should be issued to the applicant. The customs purpose copy of the original licence is hereby cancelled.

[No. ITC/AU/19/SSI/AM 81/HYD]

N. B. PRADHAN, Dy. Chief Controller of Imports and Exports

उर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 20 अप्रैल, 1981

का० आ० 2141.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (भर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत सरकार के भूतपूर्व इस्पात, खान और कोयला मंत्रालय (कोयला विभाग) की अधिसूचना सं० का० आ० 467, तारीख 12 फरवरी, 1980 द्वारा उस अधिसूचना से संलग्न अनुसूची में चिन्हित परिक्षेत्र में 110.00 एकड़ (लगभग) या 44.51 हेक्टर (लगभग) भूमि में कोयले का पूर्वावलोकन करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के भाग में कोयला अभिप्राप्य है ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 77.00 एकड़ (लगभग) या 31.16 हेक्टर (लगभग) भाग की उक्त भूमि के भाग का भर्जन करने के अपने आशय की सूचना देती है।

टिप्पण 1—इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त, हजारीबाग (बिहार) के कार्यालय में या कोयला नियंत्रक, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या सेन्ट्रल कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग), दरभंगा हाउस, राबड़ी (बिहार) के कार्यालय में किया जा सकता है।

टिप्पण 2—कोयला धारक क्षेत्र (भर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबन्धों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबन्धित हैं :—

"8 (1) कोई व्यक्ति जो किसी भूमि में जिसकी वास्तव धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर किन्हीं अधिकारों का भर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्वाधीकरण—इस धारा के अधीनमें या आपत्ति नहीं वाली जमीन को कोई व्यक्ति किसी भूमि में खोदना उत्पादन के लिये स्वयं खनन प्रक्रियाएँ करना चाहता है और ऐसी स्थितियों में केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करना चाहिये।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जायेगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं खुद जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अनिवार्य जांच, यदि कोई है, करने के पश्चात् जो वह आवश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रियायत या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी विकल्पित और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिश्चय के लिये देगा।

(3) इस धारा के प्रयोजनों के लिये वह व्यक्ति किसी भूमि में द्विबद्ध समझा जायेगा जो प्रतिकर में जित का दावा करने का हकदार होता यदि भूमि या ऐसी भूमि में या उस पर अधिकार इस अधिनियम के अधीन अर्जित कर लिये जाते।

टिप्पण 3—केन्द्रीय सरकार ने, कोयला नियंत्रक, 1, कार्मिल हाउस स्ट्रीट, कलकत्ता को इस अधिनियम के अधीन सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

बत्ताक भदवा

मरुबरा कोयला क्षेत्र का विस्तार

जिला हजारी बाग

बिहार

ख्वाक सं० राज०/29/80

तारीख 15-5-80

(जिसमें अर्जित की जाने वाली भूमि दर्शाते की गई है)

सभी अधिकार

क्रम संख्या	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पण
1	भदवा	माड	173	हजारी बाग	77.00 (लगभग) एकड़ भाग या 31.16 हेक्टेयर (लगभग)	

कुल क्षेत्र : 77.00 एकड़ (लगभग)

या 31.16 हेक्टेयर (लगभग)

भदवा गांव में अर्जित किए जाने वाले प्लाट संख्याक :

1 (भाग) और 2 (भाग)

सीमा वर्णन

क-ख रेखा द्वारा और भदवा ग्रामों की साक्षी सीमा के एक भाग के (जो द्वारा कोयला क्षेत्र पट्टे की सीमा के साथ साक्षी सीमा का एक भाग है) के साथ-साथ जाती है।

ख-ग रेखा भदवा ग्राम के प्लाट सं० 1 और 2 से होकर जाती है।
ग-क रेखा भदवा और खनन ग्रामों की साक्षी सीमा (जो माइल धोरी कायला क्षेत्र पट्टे सीमा के साथ साक्षी सीमा का एक भाग है) के साथ-साथ होकर जाती है।

[सं० 19(49)/80-सी एल]

मथुरा सिंह, अवर सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 20th April, 1981

S.O. 2141.—Whereas by the Notification of the Government of India in the erstwhile Ministry of Steel, Mines & Coal, (Department of Coal) No. S.O. 467 dated the 12th Feb. 1980, under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 110.00 acres (approximately) or 44.51 hectares (approximately) of the lands in the locality specified in the Schedule appended to that notification:

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire part of the said lands measuring 77.00 acres (approximately) or 31.16 hectares (approximately) described in Schedule appended hereto.

Note 1—The plan of the area covered by this notification may be inspected in the Office of the Deputy Commissioner, Hagaribagh (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Central Coalfields Limited, (Revenue Section), Darbhanga House, Ranchi (Bihar).

Note 2—Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) which provides as follows:—

“8. (1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation:—It shall not be an objection within the meaning of this section for any person to say that he himself desired to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the object or an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.

Note 3:—The Coal Controller, I, Council House Street, Calcutta has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE

Block Bhadwa	Drg. No. Rev/29/80
(East of Strubara Colliery)	dt. 15-5-80
Distt Hazaribagh	(Showing lands to be acquired)
(Bihar)	

All Rights

Sl. Village No.	Thana	Thana number	District	Area	Remarks
1. Bhadwa Mundu		173	Hazaribagh	77.00 acres (Approximately) or 31.16 Hectares (approximately)	Part

Total area :—77.00 acres (approximately)
or : 31.16 hectares (approximately)

Plot numbers to be acquired in the village Bhadwa :—
1(P) & 2 (P)

Boundary description:

A—B line passes along the part common boundary of villages Ara and Bhadwa (which forms part common boundary with Area Colliery lease boundary).

B—C line passes through plot nos. 1 and 2 of village Bhadwa.

C—A line passes along the part common boundary of villages Bhadwa and Atna (which forms part common boundary with Model Dhori colliery lease boundary) and meets at point 'A'.

[No. 19(49)/80-CL]

SWARAN SINGH, Under Secy.

नई दिल्ली, 21 जुलाई, 1981

का० आ० 2142.—कोयला खान श्रम कल्याण अधिनियम, 1947 (1947 का 32) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने श्री डी० पंडा को पहली फरवरी, 1980 की पूर्वाह्न से कोयला खान कल्याण संगठन में कल्याण आयुक्त (विशेष ग्रेड) के पद पर नियुक्त किया है।

[नं० ए० 38011/1/80-प्रशा-1/सी एम उन्मु]

श्रीमती कृष्णलेखा सूद, निदेशक

New Delhi, the 21st July, 1981

S.O. 2142.—In exercise of the powers conferred by sub-Section (1) of Section 9 of the Coal Mines Labour Welfare Act, 1947 (32 of 1947), the Central Government has appointed Shri D. Panda as Welfare Commissioner (Special Grade) in the Coal Mines Welfare Organisation with effect from the forenoon of the 1st February, 1980.

[No. A. 38011/1/80-Admn. I/CMW]

Smt. K. SOOD, Director

ग्रामीण पुनर्निर्माण मंत्रालय

नई दिल्ली, 27 जून, 1981

का० आ० 2143.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में ग्रामीण पुनर्निर्माण मंत्रालय के अधीन निम्नलिखित कार्यालयों को, जिनके कर्मचारी बृन्द ने हिन्दी का कार्यमाध्यक ज्ञान प्राप्त कर लिया है, अधिपूचित करती है।

1. खादी तथा ग्रामीणोग प्रयोग, राज्य कार्यालय, अम्बाला केन्द्र।

2. खादी तथा ग्रामीणोग प्रयोग, राज्य कार्यालय, नई दिल्ली।

[संख्या ई-11011/(2)/81-हिन्दी]

नरेंद्र पाल मिश्र, उपा सचिव

MINISTRY OF RURAL RECONSTRUCTION

New Delhi, the 27th June, 1981

S.O. 2143.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for Official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices under the administrative control of the Ministry of Rural Reconstruction, the staff whereof have acquired the working knowledge of Hindi :—

1. Khadi and Village Industries Commission, State Office, Ambala Cantt.

2. Khadi and Village Industries Commission, State Office, New Delhi.

[No. F-1101/2/81-Hindi]

N. P. SINGH, Dy. Secy.

शिक्षा और संस्कृति मंत्रालय

(संस्कृति विभाग)

नई दिल्ली, 18 जुलाई, 1981

का० आ० 2144.—राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में केन्द्रीय सरकार पुरातत्व भारतीय पुरातत्व सर्वेक्षण के निम्न-लिखित कार्यालयों को, जिनके स्टाफ ने हिन्दी का कार्यमाध्यक ज्ञान प्राप्त कर लिया है, अधिपूचित करती है :—

1. उपाधीक्षक पुरातत्व (रसायन),

भारतीय पुरातत्व सर्वेक्षण,
धार (मध्य प्रदेश)।

2. उपाधीक्षक पुरातत्व रसायन,

भारतीय पुरातत्व सर्वेक्षण,
नं० 752/2, लाला स्टीड,
के० आर० महन्ता, मैसूर-4

3. सहायक अधीक्षक,

पुरातत्व संग्रहालय,
तालन्दा।

4. अधीक्षक पुरातत्वविद्,

भारतीय पुरातत्व सर्वेक्षण,
दिल्ली मंडल, मकदरजग मकदरजग,
नई दिल्ली-110003.

5. उपाधीक्षक पुरातत्वविद् (संग्रहालय),

भारतीय पुरातत्व सर्वेक्षण,
संग्रहालय शाखा (उत्तरी),
पुराना किला, नई दिल्ली-1

6. सहायक अधीक्षक पुरातत्वविद्,

बड़ीदगा-खंड, ब्लाक, बड़ीदगा-1

7. सहायक पञ्जीकरण पुरातत्व,
रसायनज्ञ,
भारतीय पुरातत्व सर्वेक्षण,
पटना क्षेत्र, पटना।

[सं० एफ० 28-2/81-सामान्य]

एस० एल० कोशल, उप सचिव

MINISTRY OF EDUCATION AND CULTURE

(Department of Culture)

New Delhi, the 18th July, 1981

S.O. 2144.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following Offices of the Archaeological Survey of India, the Staff whereof have acquired the working knowledge of Hindi :—

1. Deputy Superintending Archaeologist (Chemist), Archaeological Survey of India, Dhar (Madhya Pradesh)
2. Deputy Superintending Archaeological (Chemical), Archaeological Survey of India, No. 752/2, Nala Street, K. R. Mahallah, Mysore-4.
3. Assistant Superintendent, Archaeological Museum, Nalanda.
4. Superintending Archaeologist, Archaeological Survey of India, Delhi Circle, Safdarjung Tomb, New Delhi-110003.
5. Deputy Superintending Archaeologist (Museum), Archaeological Survey of India, Museum Branch (Northern), Purana Qila, New Delhi-110001.
6. Assistant Superintending Archaeological, Barodra Block, Barodra-1.
7. Assistant Superintending Archaeologist (Chemist), Archaeological Survey of India, Patna Region, Patna (Bihar).

[No. F. 28-2/81-Genl.]

S. L. KAUSHAL, Dy. Secy.

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 24 जुलाई, 1981

का० आ० 2145.—भारत सरकार नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० का० आ० 562 (इ) दिनांक 3-10-1979 के द्वारा श्री प्रसन्ता कुमार दत्ता की कलकत्ता गोदी श्रम बोर्ड में सदस्य के रूप में नियुक्ति की गई थी।

उक्त सदस्य के निधन के कारण उक्त बोर्ड में सदस्य का स्थान खाली हो गया है।

अतः श्रम गोदी कर्मकार (नियोजन का विनियमन) नियम, 1962 के नियम 4 के प्रावधान के अनुसार, केन्द्रीय सरकार, उक्त रिक्ति को अधिसूचित करती है।

[का० सं० एस०डी०सी०/4/79 L-III]

चौमस मंथु, प्रवर सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 24th July, 1981

S.O. 2145.—Whereas Shri Prasanta Kumar Datta was appointed as a member of the Calcutta Dock Labour Board by the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 562(E) dated 3-10-1979.

And whereas a vacancy has occurred in the said Board on the death of the said member;

Now, therefore, in pursuance of the provision of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962 the Central Government hereby notifies the said vacancy.

[F. No. LDC/4/79-L. III]

THOMAS MATHEW, Under Secy.

नई दिल्ली, 27 जुलाई, 1981

का० आ० 2146.—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एम० एस० बजोरानी को, श्री डी० ए० धुंजीभाई के स्थान पर नये बोर्ड के गठित होने तक मुम्बई डाक श्रमिक बोर्ड के सदस्य के रूप में नियुक्त करती है और भारत सरकार के नौवहन और परिवहन मंत्रालय की अधिसूचना सं० का० आ० 3437, तारीख 17-12-1974 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, मध (1) के समूह, "डाक कर्मकारों और नौवहन कंपनियों के नियोजकों का प्रतिनिधित्व करने वाले सदस्य" शीर्षक के नीचे प्रविष्टि "श्री डी० ए० धुंजीभाई" के स्थान पर "श्री एम० एस० बजोरानी" रखा जाएगा।

[का० सं० एलबीसी/29-80-एल-3]

वी० शंकरालिंगम, उप-सचिव

New Delhi, the 27th July, 1981

S.O. 2146.—In exercise of the powers conferred by sub-section (3) of Section 5A of the Dock Workers (Regulation of Employment) Act, 1948, (9 of 1948), the Central Government hereby appoints Shri M. S. Vazirani as a member of the Bombay Dock Labour Board vice late Shri D. A. Dhunjibhoy for a period till the new Board is constituted and makes the following further amendment in the notification of the Government of India in the Ministry of Shipping and Transport No. S.O. 3437 dated the 17-12-1974, namely :—

In the said notification, under the heading, "Members representing the Employers of Dock Workers and Shipping Companies" against item (1) for the entry "Shri D. A. Dhunjibhoy", the entry "Shri M. S. Vazirani" shall be substituted.

[File No. LDB/29/80-L. III]

V. SANKARALINGAM, Dy. Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 17 जुलाई, 1981

का० आ० 2147.—बलचित्र अधिनियम, 1952 की धारा 5 (1) और बलचित्र (सेंसर) नियम, 1958 के नियम 9 के उप-नियम (1) के साथ पठित नियम 8 के उपनियम (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री सैयद मुस्तफा सिराज और श्री गुरु बिपिन सिंह को अगले प्रादेश तक, फिल्म सेंसर बोर्ड के कलकत्ता सलाहकार पैनल का सदस्य नियुक्त करती है।

[फाइल संख्या 811/8/80-एफ(सी)]

श्रीमती उर्मिला गुप्ता, उप सचिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 17th July, 1981

S.O. 2147.—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of Rule 8 read with sub-rule (1) of Rule 9 of the Cinematograph (Censorship) Rules 1958, the Central Government hereby appoints Shri Syed Mustafa Siraj and Shri Guru Bipin Singh as Members of the Advisory Panel of the Board of Film Censors at Calcutta with immediate effect until further orders.

[F. No. 811/8/80-F(C)]

Smt. URMILA GUPTA, Dy. Secy.

आदेश

नई दिल्ली, 17 जुलाई, 1981

क्रा० डा० 2148.—फिल्म सलाहकार बोर्ड के कार्यकरण से संबंधित विनियमों के नियम 14 (ख) के उपबन्धों के अन्तर्गत प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा इसके साथ लगी अनुसूची के कालम 2 में दी गई फिल्मों को उनके सभी भारतीय भाषाओं के रूपांतरों सहित, जिनका विवरण प्रत्येक के सामने उक्त अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है:—

अनुसूची

फिल्म का नाम संख्या	फिल्म की संख्या (मोटरों में)	प्रावेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक संबंधी फिल्म है या सामाजिक घटनाओं की फिल्म है या डाकुमेंट्री फिल्म है।
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1	2	3	4	5	6
1. भारतीय समाचार समीक्षा सं० 1707	300-00	फिल्म प्रभाग, 24-पेडर रोड,	समाचार और साम-		

1	2	3	4	5	6
और भारतीय समाचार समीक्षा संख्या 1707 (प्रादेशिक, दक्षिण)				बम्बई।	यिक घटनाओं की फिल्म 21 सामान्य और प्रादेशिक प्रदर्शन के लिए।
2. भारतीय समाचार सं० 1708 और भारतीय समाचार समीक्षा संख्या 1708 (प्रादेशिक पश्चिम)।	279.00	फिल्म प्रभाग, 24-पेडर रोड, बम्बई।			“समाचार और साम-यिक घटनाओं की फिल्म सामान्य और प्रादेशिक प्रदर्शन के लिए।

[फाइल संख्या 315/5/81-एफ(पी)]

कश्मीरी माल, डेस्क अधिकारी

ORDER

New Delhi, the 17th July, 1981

S.O. 2148:—In exercise of the powers vested under the provisions of Rule 14 (b) of the Regulations relating to the Working of the Film Advisory Board, the Central Government hereby approves films specified in column 2 of the Schedule annexed hereto in all its/their language version to be of the description specified against it/each in column 6 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Length of the film in mtrs.	Name of the applicant	Name of the producer	Brief synopsis whether a scientific film or for educational purposes of a film dealing with new current event documentary film.
1	2	3	4	5	6
1.	Indian News Review No. 1707 and Indian News Review No. 1707 (Regional South)	300.00 mtrs.	The Films Division	24-Peddar Road, Bombay-26.	News & Current events, General and Regional release respectively
2.	Indian News Review No. 1708 and Indian News Review No. 1708 (Regional West)	279.00 mtrs.	-do-	-do-	-do-

[F. No. 315/5/81-FP]

KASHMIRI LAL, Desk Officer

संचार संचालय
(डाक सार बोर्ड)

नई दिल्ली, 27 जुलाई, 1981

क्रा० डा० 2149.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1980 द्वारा लागू किए गए भारतीय सार नियम, 1951 के नियम

434 के खंड III के पैरा (क) के अनुसार डाक-सार महानिदेशक ने मनारगुडी टेलीफोन केन्द्र में दिनांक 16-8-81 से प्रमाणित कर प्रणाली लागू करने का निर्णय किया है।

[संख्या 5-4/81-पी०एच०बी०]

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 27th July, 1981

S.O. 2149.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-8-1981 as the date on which the Measure Rate System will be introduced in Mannargudi Telephone Exchange, Tamilnadu Circle.

[No. 5-4/81-PHB]

क्रा० आ० 2150—स्वायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-सार महाविभाग ने पाचोरा टेलीफोन केन्द्र में दिनांक 16-8-81 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[संख्या 5-24/81-पी० एच० बी०]

भार० सी० कटारिया सहायक महाविभाग (पी० एच० बी०)

S.O. 2150.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-8-1981 as the date on which the Measured Rate System will be introduced in Pachora Telephone Exchange Maharashtra Circle.

[No. 5-24/81-PHB]

R. C. KATARIA, Asstt. Director General (PHB)

रेल मंत्रालय

(रेल बोर्ड)

नई दिल्ली, 23 जुलाई, 1981

क्रा० आ० 2151.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार, रेल मंत्रालय (रेलवे बोर्ड) के 17 सितम्बर, 1980 के का० आ० संख्या 2645 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिनियम के साथ संलग्न सारणी में कालम (1) के अन्तर्गत क्रम संख्या 6 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियों को प्रतिस्थापित किया जायेगा, अर्थात्:—

“6- मण्डल रेल प्रबंधक, दक्षिण रेलवे, मद्रास, मेसूर, पालघाट, मद्रुरै, तिरुचिरापल्ली और तिरुवनन्तपुरम।”

[फाइल संख्या 69/इड्यू II/एस० ई०/13]

हिम्मत सिंह, सचिव, रेलवे बोर्ड

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 23rd July, 1981

S.O. 2151.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Railways (Railway Board) No. S.O. 2645 dated 17th September, 1980, namely:—

In the Table annexed to the said notification, under column (1) against serial number 6 and the entries relating thereto, the following serial number and entries shall be substituted namely:—

“6.—Divisional Railway Managers, Southern Railway, Madras, Mysore, Palghat, Madurai, Tiruchirappalli and Trivandrum.”

[File No. 69/W 2/IE/13]

HIMMAT SINGH, Secy. Railway Board

अप्र मंत्रालय

भाषेश

नई दिल्ली, 28 जून, 1981

क्रा० आ० 2152.—केन्द्रीय सरकार की राय है कि इससे उपाययुक्त अनुसूची में विनिर्दिष्ट विषय के बारे में सैन्डल बैंक आफ इण्डिया से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है।

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है।

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधि-करण गठित करती है जिसके पीठासीन अधिकारी श्री जी० एस० बरोट होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या सैन्डल बैंक आफ इण्डिया के प्रबंधन की अपनी रायपुर चकला शाखा से संबद्ध श्री एम० भार० बरोट, सब-स्टाफ को अपने पत्र तारीख 23-5-80 के अनुसार 27-5-80 से सेवानिवृत्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुलोप का हकदार है?

[सं० एल-12012/278/80-बी० II(ए)]

एन० के० वर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR
ORDER

New Delhi, the 29th June, 1981

S.O. 2152.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Central Bank of India in relation to its branch at Raipur Chakla in retiring from service Shri M. R. Barot, Sub-Staff with effect from 27-5-80 under its letter dated 23-5-80 is justified? If not, to what relief is the workman concerned entitled?

[No. L-12012/278/80-D. II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 22nd July, 1981

S.O. 2153.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bangalore in the industrial dispute between the employers in relation to the management of Bharata Rayana Haruva Iron Ore Mines of M/s. Dalmia International, Hospet and their workmen, which was received by the Central Government on the 15-7-1981.

BEFORE THE INDUSTRIAL TRIBUNAL IN
KARNATAKA, BANGALORE

Dated 7th July, 1981

Central Reference No. 9 of 1975

I PARTY

Workmen represented by the Vice President, Industrial and General Labour Union, Hospet P.O.

—vs—

II PARTY

The Branch Manager M/s. Dalmia International, Patel Nagar, Hospet.

APPEARANCES :

For the I Party—Sri M. Ismail, Vice-President, Industrial and General Labour Union, Hospet.

For the II Party—Sri B. T. Parthasarthy, Advocate, Bangalore.

REFERENCE

(Government Order No. L. 26012/10/75-D-IV(B) dated 26-8-1975)

AWARD

The Central Government has made a Reference of the dispute between the parties for adjudication on the following points :—

“Whether the action of the management of Bharata Rayana Haruva Iron Ore Mines of Messrs Dalmia International, Hospet in terminating the services of Shri Mohammad Khasim without complying with the provisions of section 25F of the Industrial Disputes Act, 1947 was justified? If not, to what relief is the said workman entitled?”

2. At the time of the enquiry, the Vice-President of the Union representing the workman has filed a Memo informing the Court that as the dispute would be settled outside the Court the same is not pressed. As the I Party is not interested in prosecuting his claim, the question of adjudication does not arise. The Reference is rejected.

Award passed accordingly.

V. H. UPADHYAYA, Presiding Officer

[No. L-26012/9/75-D.O. III (B)]

जावेद

नई दिल्ली, 24 जुलाई, 1981

का० भा० 2154.—मैसर्स तान्पुर और नाबान्गरी स्टोन क्वारीज (प्रा०) लिमिटेड के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व तान्पुर स्टोन क्वारीज सेक्टर एंड एम्पलाइज यूनियन, बशीराबाद करती है, एक औद्योगिक विवाद विद्यमान है ;

और उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबंधों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित

व्यक्ति के माध्यम से के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यम से करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः, अब, उक्त अधिनियम की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यम से करार को प्रकाशित करती है ।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम :

(i) मैसर्स तान्पुर और नाबान्गरी स्टोन क्वारीज (प्राइवेट) लिमिटेड, डाकघर बशीराबाद, तान्पुर ताल्लुक, रंगारेड्डी, जिला धांध प्रदेश ।

(ii) तान्पुर स्टोन क्वारीज सेक्टर एंड एम्पलाइज यूनियन, डाकघर बशीराबाद, तान्पुर ताल्लुक, रंगारेड्डी, जिला धांध प्रदेश ।

नियोजकों का प्रतिनिधित्व करने वाले :

श्री पी० जगदीश रेड्डी, अध्यक्ष, मैसर्स तान्पुर और नाबान्गरी स्टोन क्वारीज (प्रा०) लिमिटेड, डाकघर बशीराबाद, तान्पुर ताल्लुक, रंगारेड्डी, जिला धांध प्रदेश ।

कर्मचारों का प्रतिनिधित्व करने वाले : श्री डी० बी० रेड्डी, प्रीजिडेंट, तान्पुर स्टोन क्वारीज सेक्टर एंड एम्पलाइज यूनियन, डाकघर बशीराबाद तान्पुर ताल्लुक, रंगारेड्डी जिला धांध प्रदेश ।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री एम० आर० राजू, उप मुख्य अमायुक्त (केन्द्रीय), मुख्य अमायुक्त (केन्द्रीय) का कार्यालय, नई दिल्ली के माध्यम से के लिए निर्देशित करने का करार किया गया है ।

1. निर्दिष्ट विवादग्रस्त विषय :

“क्या मैसर्स तान्पुर और नाबान्गरी स्टोन क्वारीज (प्रा०) लिमिटेड, बशीराबाद, तान्पुर ताल्लुक, रंगारेड्डी जिला धांध प्रदेश की विभिन्न स्टोन क्वारीज/खानों/विभागों में काम करने वाले कर्मचारों की मजदूरी-दरों में वृद्धि की मांग न्यायोचित है ? यदि हां, तो संबंधित कर्मकार किस अनुसूच के हकदार हैं और किस तारीख से ?”

2. विवाद के पक्षकारों का विवरण 1. श्री पी० जगदीश रेड्डी, अध्यक्ष जिसमें वर्तवर्तित स्थापन या उप-क्रम का नाम और पता भी सम्मिलित है ।

मैसर्स तान्पुर और नाबान्गरी स्टोन क्वारीज (प्रा०) लिमिटेड, बशीराबाद, (डाकघर), तान्पुर ताल्लुक, रंगारेड्डी जिला धांध प्रदेश ।

2. श्री डी० बी० रेड्डी, प्रीजिडेंट, तान्पुर स्टोन क्वारीज सेक्टर एंड एम्पलाइज यूनियन, डाकघर बशीराबाद, तान्पुर ताल्लुक, रंगारेड्डी जिला (धांध प्रदेश)

3. कर्मकार का नाम, यदि वह स्वयं विवाद में वर्तवर्तित है या यदि कोई संघ प्रवर्तित कर्मकार/कर्मचारों का प्रतिनिधित्व करता हो तो उसका नाम 1. तान्पुर स्टोन क्वारीज सेक्टर एंड एम्पलाइज यूनियन डाकघर बशीराबाद, तान्पुर ताल्लुक, रंगारेड्डी जिला धांध प्रदेश ।

- (4) प्रभावित उपक्रम में नियोजित
कर्मचारों की कुल संख्या 2,000
- (5) विवाद द्वारा प्रभावित या
सम्भाव्यतः प्रभावित होने
वाले कर्मचारों की प्राक्कलित
संख्या

हम यह करार भी करते हैं कि मध्यस्थ का विनिश्चय हम पर बाध्यकारी होगा। मध्यस्थ अपनी पंचाट समुचित सरकार द्वारा इस करार के सरकारी राजपत्र में प्रकाशन की तारीख से दो मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाय, देगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता, तो माध्यस्थ के लिए निदेश स्वतः रह जायेगा और हम तब माध्यस्थ के लिए बाध्यकारी करने को स्वतन्त्र होंगे।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले	कर्मचारों का प्रतिनिधित्व करने वाले
ह०/-	ह०/-
(वी० जगदीश रेड्डी) अध्यक्ष, तान्दुर और नावान्गी स्टोन क्वाररीज (प्राइवेट लि०) बशीराबाद।	(श्री० बीबी रेड्डी) प्रेजिडेंट, तान्दुर स्टोन क्वाररीज लेबर एंड एम्प्लाइज यूनियन, बशीराबाद।

माफी

1. ह०/- के० कृष्ण मूर्ति, कामिक प्रबंधक, तान्दुर और नावान्गी स्टोन क्वाररीज प्रा० लि०, बशीराबाद।
2. ह०/- (श्री० एस० शास्त्री) प्राशुलिपिक, क्षेत्रीय अमायुक्त (केन्द्रीय) का कार्यालय बशीराबाद।

तारीख 17-6-1981

मैं मध्यस्थ के रूप में काम करने के लिए अपनी सहमति देता हूँ।

ह०/-

एम० धार० राजू,

रूप मध्य अमायुक्त (केन्द्रीय), नई दिल्ली

[सं० एल-29011/18/81-बी III(बी)]

ORDER

New Delhi, the 24th July, 1981

S.O. 2154.—Whereas an industrial dispute exists between the employers in relation to the management of Messrs Tandur & Navandgi Stone Quarries (P) Ltd., and their workmen represented by Tandur Stone Quarries Labour and Employees Union, Basheerabad;

And, whereas, the said employers and workmen have, by a written agreement in pursuance of the provisions of the sub-section (1) of section 10-A of the Industrial Disputes Act, 1947, agreed to refer the said dispute to arbitration by the person specified therein and a copy of the said agreement has been made available to the Central Government;

Now, therefore, in pursuance of sub-section (3) of section 10-A of the said Act, the Central Government hereby publishes the said Agreement.

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)
BETWEEN

NAME OF THE PARTIES :

- (1) M/s. Tandur and Navandgi Stone Quarries (Private) Ltd., P.O. : Basheerabad, Tandur Taluk, Ranga Reddy District, (Andhra Pradesh).
- (2) Tandur Stone Quarries Labour and Employees' Union, P.O. : Basheerabad, Tandur Taluk, Ranga Reddy District, (Andhra Pradesh).

REPRESENTING EMPLOYER :

Shri P. Jagdish Reddy, Chairman, M/s. Tandur and Navandgi Stone Quarries (Private) Ltd., P. O. : Basheerabad, Tandur Taluk, Ranga Reddy District (Andhra Pradesh).

REPRESENTING WORKMEN :

Shri D. Bichi Reddy, President, Tandur Stone Quarries Labour and Employees' Union, P. O. : Basheerabad, Tandur Taluk, Ranga Reddy District (Andhra Pradesh).

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri M. R. Raju, Deputy Chief Labour Commissioner (Central), Office of the Chief Labour Commissioner (Central), New Delhi :—

(i) Specific matters in dispute :—

"Whether the demand of the workmen working in the various Stone Quarries/Mines/Departments of M/s. Tandur and Navandgi Stone Quarries (Private) Limited, Basheerabad, Tandur Taluk Ranga Reddy, District (Andhra Pradesh) for upward revision of rates of wages is justified? If so, to what relief are the concerned workmen entitled to and from what date?"

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved :—

- (1) Shri P. Jagdish Reddy, Chairman, M/s. Tandur and Navandgi Stone Quarries (Private) Limited, Basheerabad (P.O.), Tandur Taluk, Ranga Reddy District (Andhra Pradesh).
- (2) Shri D. Bichi Reddy, President, Tandur Stone Quarries Labour and Employees' Union, P.O. : Basheerabad, Tandur Taluk, Ranga Reddy, District, (Andhra Pradesh).

(iii) Name of the workmen in case he himself is involved in the dispute or the name of the union, if any, representing the workmen or workman in question :—

Tandur Stone Quarries Labour and Employees' Union, P. O. : Basheerabad, Tandur Taluk, Ranga Reddy, District (Andhra Pradesh).

(iv) Total No. of workmen employed in the undertaking affected :—

About 2,000.

(v) Estimated number of workmen affected or likely to be affected by the dispute :—

2,000.

We further agree that the decision of the Arbitrator be binding on us. The Arbitrator shall make his award within a period of two months from the date of publication of the agreement in Official Gazette by appropriate Government or within such further time as extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference

to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh Arbitration.

Signature of the Parties :
Representing the Employer :

Sd/-
(P. Jagdish Reddy)
CHAIRMAN
Tandur and Navandgi Stone
Quarries (Private) Limited,
Basheerabad.

Representing the workmen :—

Sd/-
(D. Bichi Reddy), President,
Tandur Stone Quarries Labour and
Employees' Union, Basheerabad.

Witnesses :—

1. Sd/-
(K. Krishna Murthy),
Personnel Manager, Tandur and Navandgi
Stone Quarries (Private) Limited,
Basheerabad.

2. Sd/-
(V. S. Sastry),
Stenographer

Office of the Regional Labour Commissioner
(Central), Hyderabad.

Date : 17-6-1981.

I hereby give my consent to be an Arbitrator in the
above dispute.

M. R. RAJU,
Deputy Chief Labour Commissioner (Central),
New Delhi.

[No. L-29011/18/81-D. III(B)]

नई दिल्ली, 29 जुलाई, 1981

का० आ० 2155.—मैसर्स तान्दुर और नावान्दगी स्टोन क्वारिज
(प्राइवेट) लिमिटेड और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व
तान्दुर स्टोन क्वारिज लेबर एंड एम्पलाइज यूनियन, बशीराबाद करती है,
एक औद्योगिक विवाद विद्यमान है ;

और उक्त नियोजक तथा उक्त यूनियन, औद्योगिक विवाद अधिनियम,
1947 (1947 का 14) की धारा 10-क की उपधारा (i) के उप-
बंधों के अनुसरण में, निम्निले करार द्वारा उक्त विवाद को उसमें उल्लि-
खित व्यक्ति के माध्यस्थता को भेजने के लिए सहमत हो गए हैं और उक्त
माध्यस्थता करार की एक प्रति केन्द्रीय सरकार को भेजी गई है और उसे
उक्त धारा की उप-धारा (3) के उपबंधों के अधीन भारत के तारीख
8 अगस्त 81 के राजपत्र के भाग II, खंड 3, उप-खंड (ii) में प्रकाशित
भारत सरकार के अम्र मंत्रालय के आदेश संख्या एल-29011
18/81-डी० (3) (बी). दिनांक 24-7-1981 के साथ प्रकाशित किया
गया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त निर्देश करने
वाले व्यक्ति प्रत्येक पक्षकार के बहुमत का प्रतिनिधित्व करते हैं ;

अतः, अब औद्योगिक विवाद (केन्द्रीय) नियम, 1957 के नियम
8-क के साथ पठित उक्त धारा की उप-धारा (3क) के उपबंधों के
अनुसरण में, केन्द्रीय सरकार उन नियोजकों और कर्मचारों की सूचना
के लिए, जो उक्त माध्यस्थता करार के पक्षकार नहीं हैं लेकिन जो उक्त
विवाद से संबंधित हैं, यह अधिसूचित करती है कि उक्त निर्देश करने
वाले व्यक्ति प्रत्येक पक्षकार के बहुमत का प्रतिनिधित्व करते हैं।

[संख्या एन-29011/18/81-डी-III (बी)]

के० के० हांडा, प्रवर मजिस्ट्रेट

New Delhi, the 29th July, 1981

S.O. 2155.—Whereas an industrial dispute exists bet-
ween the employers in relation to the Management of
M/s. Tandur and Navandgi Stone Quarries (Private) Limit-
ed, and their workmen represented by Tandur Stone Quar-
ries Labour and Employees' Union, Basheerabad;

And, whereas, the said employer and the said union
have by a written agreement in pursuance of the provi-
sions of sub-section (1) of section 10A of the Industrial
Disputes Act, 1947 (14 of 1947), agreed to refer the said
dispute to arbitration of the person mentioned therein, and
a copy of the said arbitration agreement has been for-
warded to the Central Government and the same has been
published, under the provisions of sub-section (3) of the
said section with the order of the Government of India in
the Ministry of Labour, No. L-29011/18/81-D. III(B) dated
24-7-1981 published in Part II, Section 3, sub-section (ii)
of the Gazette of India, dated 8th August, 1981.

And, whereas, the Central Government is satisfied that
the persons making the said reference represent the major-
ity of the party;

Now, therefore, in pursuance of the provisions of sub-
section (3A) of the said section, read with rule 8A of the
Industrial Disputes (Central) Rules, 1957, the Central
Government hereby notifies for the information of the
employers and workmen who are not parties to the said
arbitration agreement but who are concerned with the said
dispute, that the persons making the said reference repre-
sented the majority of each party.

[No. L-29011/18/81-D. III(B)]

K. K. HANDA, Under Secy.

New Delhi, the 22nd July, 1981

S.O. 2156.—In pursuance of section 17 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Govt. hereby pub-
lishes the following award of the Central Government Industrial
Tribunal No. 2, Dhanbad, in the industrial dispute between
the employers in relation to the management of Murulidih
Colliery of Messrs Bharat Coking Coal Limited, Post Office
Mohuda, District Dhanbad and their workman, which was
received by the Central Government on the 20th July, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) DHANBAD

Reference No. 33 of 1980.

In the matter of an industrial dispute under Section 10(1)(d)
of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Murulidih
colliery of Messrs Bharat Coking Coal Limited,
Post office Mohuda, District Dhanbad and their
workmen.

APPEARANCES :

On behalf of the employers : Shri T. P. Choudhury,
Advocate.

On behalf of the workmen : Shri D. Mukherjee, Advoca-
te, and Secretary, Bihar Colliery Kamgarh Union,
Dhanbad.

State : Bihar.

Industry : Coal.

Dhanbad, 13th July, 1981.

AWARD

This is a reference under S. 10 of the I.D. Act, 1947.
The Central Government by its notification No. L-29012/
2/78-D.III(A) dated 16th October, 1980 has referred this
dispute to this Tribunal for adjudication on the following
terms :

SCHEDULE

"Whether the action of the management of Murulidih
colliery of Messrs Bharat Coking Coal Limited,
Post office Mohuda, District Dhanbad in dismissing
Shri Habib Ansari, 'Bunker Mushi from service with

effect from 3rd July, 1974 is justified? If not, to what relief is the said workman entitled?"

2. The concerned workman happens to be a bunker munshi attached to Murulidih colliery of Messrs Bharat Coking Coal Limited. In his capacity as a bunker munshi, Shri Habib Ansari used to record the number of trips made by transport contractors as also to record the quantity of sand carried by each contractor. Transport contractors were engaged by the colliery for carrying sand from the bed of the river Damodar at Telmuchi Ghat. The sand obtained was for stowing purposes in the colliery. So far this is an admitted position. According to the workman his duty was to measure the sand in the trucks and also to maintain various records. For instance he had to maintain slip book in which the name of the contractors, truck number and measurement used to be recorded, and one copy of the same was handed over to the respective contractor driver, while another copy was sent to the colliery office and the third copy remained in the slip book. This system was not denied on behalf of the employers. It is further an admitted position that the payment used to be done to the contractor on the basis of the reports submitted by the bunker munshi.

3. The management's case is that stowing was done on Nos. 18 and 19 incline for which measurement used to be done by the surveyor of the coal board. The last measurement was done on 5th December, 1973 and it was found to be correct. It was again measured in the month of January, 1974 and it was found that 35000 cubic meter of sand was in short. This led to an enquiry in which it was found that the concerned workman, Shri Habib Ansari, bunker munshi had over reported. The over reporting was to the extent of 10 trips on 17th January, 1974, 10 trips on 21st January, 1974, 8 trips on 29th January, 1974 and 11 trips on 2nd February, 1974. On this basis of this enquiry a charge sheet No. MLD/CS/320/74 dated 15-2-74 was issued to Shri Habib Ansari. Shri Habib Ansari replied to the chargesheet on 18-2-74 denying the charge. The reply was not considered satisfactory and a notice of enquiry dated 2-3-74 was issued to him and received by Shri Ansari. On 5-3-74 at 10 A.M. the enquiry officer Shri S. P. Singh commenced his enquiry. He examined witnesses who were cross-examined by the concerned workman. On conclusion of the enquiry enquiry officer found in his report that the charge was satisfactorily proved. The management considered the report and dismissed him from service. A conciliation proceeding was held on a dispute raised by the concerned workman in his individual capacity on the basis of which this reference was ultimately made by the Government of India.

4. The management wanted to adduce evidence on the question as to whether the enquiry was fair and proper. The enquiry officer Shri S. P. Singh was examined. He has proved the charge-sheet. Ext. M-1 and also the workman's reply to the charge-sheet, Ext. M-2. The notice fixing the date of enquiry is Ext. M-3. The enquiry proceeding is Ext. M-4. At the time of enquiry the workman did not produce any defence evidence. The enquiry report is Ext. M-5. He has also proved the note-sheet, Exts. M-6, M-7 and M-8. The approval of the General Manager/Chief Mining Engineer with regard to his dismissal is Ext. M-9.

5. On behalf of the workman, Shri Habib Ansari, the concerned workman examined himself. In his evidence he has said that Akash Deep was the sand transport contractor. He has denied that the 2 witnesses examined at the time of enquiry viz. Shri Atabuddin and Shri Bhagirath were contractor. According to him one truck contains 6 cft. of sand. In his cross-examination he has said that the capacity of the truck is 14 feet long, 7 feet 4 inch. wide and 2 feet high. He has further said that the capacity of a truck would be 104 cft. He has further said that 920.3 cubic feet would be equivalent to 1 cubic meter.

6. In the course of argument as to whether the enquiry was fair and proper, Shri D. Mukherjee representing the workman conceded before me that he would not challenge the fairness and propriety of the departmental enquiry and would argue the case on merit. According to him the facts of the case could not justify the conclusion drawn by the enquiry officer that the charges have been proved. Thereafter the argument on behalf of the workman and the management have been heard.

7. From the evidence of Shri P. K. Banerjee, Assistant Manager it has been ascertained that over reporting of sand was found on the basis of one register maintained by Shri Bhagirath Nayak, who was sand loader contractor and Shri

A. U. Ansari, labour contractor. Both these witnesses are examined at the time of domestic enquiry. These two registers were produced by Shri P. K. Banerjee, Assistant Manager. The shortage has been calculated on the basis of these two registers. It is an admitted position that Akash Deep was the sand contractor in the colliery and Akash Deep has not produced any document in support of the management's case. It is also an admitted position that the payment was made to the contractor Akash Deep on the basis of the report made by the concerned workman in his capacity as a bunker munshi. The management has not made out a case that the over reporting was done at the instance of the contractor Akash Deep and the only plea taken in the written statement of the management is that probably the contractor was a party to this over reporting. It means that the management was not sure if their contractor was also benefitted from this over reporting. But it does not stand to reason as to why the concerned workman would go to show over reporting unless he was paid by the contractor to do so. It is not the case of the management that on the detection of the over reporting the over payment made to the contractor was adjusted in his future bills. It is not the case of the management that the contractor was penalised for this action of over reporting. It is the grievance of the workman that if proper enquiry was made both he and the contractor were liable to be punished and since the contractor was not penalised this would go to show that he has been simply made a scape goat to satisfy the whims of the colliery officers.

8. The evidence with regard to over reporting or shortage is only of Shri P. K. Banerjee, Assistant Manager. According to his evidence the checking was done on 5-12-73 and it was found that the reporting by the bunker munshies was correct. According to his evidence there was measurement in January, 1974 also which showed shortage. I must make it clear that this measurement was stated to have been done by the coal board. Nobody has been examined on behalf of the coal board to say the shortage nor there is any report on the record. But assuming that there was such a shortage which led the colliery management to make the enquiry, it would be pertinent to know as to who made the enquiry. In natural course one should have expected some sort of an enquiry report. One should have also expected that enquiry should have been made from the contractor viz. Akash Deep about the over reporting and the over payment made to him. Shri P. K. Banerjee, Assistant Manager does not say that he made the enquiry. To one question asked by the workman Shri Banerjee replied that during the relevant period he was not looking after the work of the bunker munshi because at that time he was on leave and on return he was simply looking after the ventilation work. Since the charge sheet was based on an enquiry, the absence of the enquiry report has to be considered as lacuna in this case.

9. Now let us look into the intrinsic value of this evidence. It appears that from the evidence of the Assistant Manager, Shri Banerjee that at the time of his evidence he produced two registers marked C & D by the enquiry officer. Apparently the entries were not proved by anybody. Shri Bagirath Nayak, the sand loader maintained khata No. D. The other witness Shri A. U. Ansari maintained khata No. C. But he has mentioned that the entries were made in this khata by the workers concerned. It is not the case of the management that the two registers produced were maintained by the contractor viz. Akash Deep because admittedly they were used by the loader and the workers. Shri Banerjee says that he was not aware as to whether the two khatas C & D were maintained by the contractor in regular course of business. Shri D. Mukherjee has vehemently argued that the management have failed to produce any document of the contractor Akash Deep to show that it was a case of over reporting by the bunker munshi. It was true that the enquiry officer has not considered in his report this aspect of the case and all that he has done is to mention as to what evidence was produced before him and without discussing the same he has accepted the version of the management. I have said earlier that there is no report to show any shortage in the month of January, 1974. Since the last check was made in December, 1973, it is not the case of the management that the checking was done every month in order to justify any check in the month of January, 1974. One of the shortage or over reporting was made in 2nd February, 1974. There is nothing to indicate that in February, 1974 also there was a check which could have shown the above shortage.

10. In the light of the above discussion it will appear that the enquiry officer had drawn a very hasty conclusion on the

basis of the number of trucks shown in his khata by the loader, Shri Bhagirath Nayak. As it is, the two registers produced for the first time at the enquiry stage may not by themselves be considered to be conclusive evidence to prove the charge against the concerned workman. I have already pointed out that we have not before us any evidence of shortage nor we have any enquiry report from the officer of the colliery with regard to over reporting. The contractor has not been examined nor any of his document has been produced. The natural conclusion would be that if the contractor's papers were produced the over reporting could not be proved. I have already said that there is nothing to indicate that the two khata, C & D were maintained in regular course of business. In view of what I have found above, the order of dismissal cannot sustain.

11. In the result, I hold that the action of the management of Murulidih colliery of Messrs Bharat Coking Coal Limited, Post Office Mohuda, District Dhanbad in dismissing Shri Habib Ansari, Bunker Munshi, from service with effect from 3rd July, 1974 is not justified. Consequently, the concerned workman, Shri Habib Ansari, Bunker Munshi is entitled to be reinstated w.e.f. 3rd July 1974 with all his back wages and other emoluments.

This is my award.

J. P. SINGH, Presiding Officer

[No. L-20012/2/78-D.III(A)]

New Delhi, the 25th July, 1981

S.O. 2157.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the Loyabad Colliery of Messrs Bharat Coking Coal Limited, Post Office Bansjora, District Dhanbad and their workmen, which was received by the Central Government on the 21st July, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), DHANBAD

Reference No. 60 of 1975

In the matter of an industrial dispute under Section 10(1) (d) of the I.D. Act, 1947.

PARTIES : Employers in relation to the management of Loyabad Colliery, Post office Bansjora, District Dhanbad and their workmen.

APPEARANCES:

On behalf of the employer: Shri K.M. Gupta,
Dy. Personnel Manager,
Bharat Coking Coal Ltd.,
Dhanbad.

On behalf of the workmen : Shri S.K. Baksi,
General Secretary,
Bihar Colliery Kamgar Union,
Dhanbad.

State : Bihar Industry : Coal.
Dhanbad, 16th July, 1981

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012/63/72-DR-II/D. III (A) dated 5th June, 1975 has referred this dispute to this Tribunal for adjudication on the following terms:

SCHEDULE

"Whether the action of the management of Loyabad Colliery, Post office Bansjora, District Dhanbad (now belonging to Messrs Bharat Coking Coal Limited), in stopping from work the workmen specified in the annexure, with effect from 8th January, 1972, justified? If not, to what relief are the said workmen entitled and from what date?"

Annexure to the schedule

Sl. Name of the workman
No.

1. Dhaneshwar Chamar	Miner
2. Biju Mia	"
3. Chander Bhuia	"
4. Latif Mian	"
5. Karu Bhuia	"
6. Liakat Mian	"
7. Maksudan Mian	"
8. Jagal Passi	"
9. Amulya Rajak	"
10. Kashim Mian	"
11. Rupan Mian	"
12. Ishaq Mian	"
13. Rajbahadur Lohar	"
14. Rajnath Kahar	"
15. Sheonath Pandey	"
16. Kunjan Jaiswar	"
17. Rajunath Rabidas	"
18. Rajnandan Rabidas	"
19. Bajju Manjhj	"
20. Sahadeo Bouri	"
21. Ramdeo Bhuia	"
22. Amrit Bhuia	"
23. Eachhal Gope	"
24. Sarka Majhi	"
25. Ram Sagar Majhi	"
26. Janardan Upadhyay	"
27. Samar Rabidas	"
28. Ram Sarup Prasad	"
29. Nagina Singh	"
30. Rameshwar Bhuia	"
31. Surajnath Harijan	"
32. Rupchand Bhar	"
33. Bishashwar Singh	"
34. Bondha Chamar	"
35. Nagishwar Bhuia	"
36. Jagdish Mahto	"
37. Ramji Kumar	"
38. Kishta Mahato	"
39. Jagdish Mahato	"
40. Andhu Mahato	"
41. Saffer Mian	"
42. Green Singh	"
43. Rajendra Pandey	"
44. Mutor Kumar	"
45. Rahim Mian	"
46. Amulya Rajak	"
47. Ramdhani Gope	"
48. Ramdullar Keot	"
49. Chanlal Kachhi	"
50. Ram Sundar Jaiswara	"
51. Kedar Passi	"
52. Khedan Roy	"
53. Ramnarain Kahar	"
54. Ramsarup Passi	"

B. Haziri Mazdoor

1. Latif Mian	Prop Mazdoor
2. Sarju Thakur	"
3. Raghu Ram	S/F mazdoor
4. Manik Bhuiya	Lamp cleaner
5. Ghanshyam Gope	"

2. In this industrial dispute this Tribunal sent its award to the Ministry on 27-5-76 holding that the reference is incompetent and fails. Thereafter the workmen moved the Supreme Court through a special leave petition. Their Lordship of the Supreme Court by their judgement dated 11-8-80 set aside the said award and sent back the case to this Tribunal for disposal on merits.

3. After receipt of the case from the Hon'ble Supreme Court, notices were sent to the parties on 6-10-80 for hearing of the case again. Parties accordingly attended this Tribunal and prayed time for filing settlement. Ultimately, on 15-7-81 the parties filed a settlement. As per the settlement all the workmen mentioned in the annexure to the schedule will be provided with employment subject to their medical fitness without any back wages. Since the settlement is beneficial to the parties, I accept the same and pass the award accordingly. The settlement will form part of the award.

J. P. SINGH Presiding Officer
[No. L-20012/63/72-LR-II/D.III(A)]
A. V. S. SARMA, Desk Officer

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBU-
NAL NO. 2, DHANBAD

In the matters of reference No. 60 of 1975

Employers in relation to the management of Loyabad
Colliery of Bharat Coking Coal Ltd., P.O. Bansjora,
Distt. Dhanbad.

AND

Their Workmen

Joint Applications of employers as well as workers :—

The above mentioned employers as well as the workmen covered by reference no. 60 of 1975 beg to submit this joint application to the Hon'ble tribunal.

(i) That reference relates to justification or otherwise of the action taken by management in stopping from work w. e. f. 8-1-72 fiftyfour miners (piece-rated workers) & 5 daily-rated workers (2 prop mazdoors, one shotfiring mazdoor and 2 lamp cleaners) whose names have been listed in the schedule to the reference order no. L-20012/63/72/LR.II/D. III(A) dt. 5-6-75 of the Ministry of Labour, Govt. of India.

(ii) That after the Hon'ble Tribunal gave his award dt. 27-5-76 holding that the reference is incompetent and fails, the workmen moved the Supreme Court through a special leave petition. Their lordships of the Supreme Court by their judgement dt. 11 Aug. 80 set aside the said award and sent back the matter to the Hon'ble tribunal for disposal on merits. The matter is now pending before the Hon'ble tribunal.

(iii) That both the parties have mutually discussed the matter and the implications of the dispute under reference and as a result they have mutually agreed to come to an overall settlement of the dispute as per terms and conditions set out hereunder :—

(a) The miners whose list is annexed herewith and marked 'A' will be provided employment as miners/loaders and the daily rated workers will be provided employment in the posts held by them prior to the discontinuance of their employment as referred to in the schedule to the reference order or in any equivalent category as the management may find them fit in any colliery of BCCL. They will be required to work in underground sections of the mines.

(b) The employment will be provided subject to the medical fitness of each workmen concerned to be determined by the medical board to be constituted by the management of BCCL at Loyabad Central Hospital. The decision of the medical board shall be final and binding on the parties. Those who may not be found fit medically shall not be entitled to employment.

(c) Each workmen shall be required to furnish 3 copies of his photograph in passport size with his name, address, father's name and Police Station appearing in photography on his chest and management shall be at liberty to verify correct identity of the workman concerned.

(d) The workmen who have already attained the age of 60 yrs. on account of pendency of the dispute in tribunal shall be entitled to offer their sons for employment as piece-rated miner/loader who should be willing to work in underground sections of the mines, provided that such son is between 18 to 35 years of age (as per NCWA-II) and is found medically fit as per terms of this settlement.

(e) Those workmen who are to be employed in timetated category as aforesaid shall be placed at the minimum of the pay scale of the category concerned.

(f) The workmen concerned shall not be entitled to any wages or any other monetary or other benefit for the past period except that in case of those who are to be provided employment in terms of this agreement shall have the benefit of their past service being taken into the account for the purpose of payment of gratuity under the payment of gratuity act from the date of nationalisation of Loyabad colliery i.e. 1-5-72.

(g) In respect of other matters, the service conditions applicable to those workmen shall be those as laid down in NCWA-II and the certified standing orders or model standing orders as may be applicable to the colliery/estab. in which these workmen may be employed by the management initially and later from time to time.

(h) The workmen who are to be offered employment of their sons in case of death of the workmen concerned or he is not being found fit for employment or is crossing the age of 60 years should report to the management with details, as required for dealing with their case for employment as per this agreement within a period of 45 days of the settlement. If any workmen or his son as the case may be fails to report to the management within the prescribed period, he shall have no claim for employment.

(i) While determining the physical fitness of each workman the medical board shall also determine their age which shall be the age for entry into the service records of each workman concerned for their ultimate superannuation on attaining the age of 60 years.

(j) The employment of the workmen concerned or their sons as the case may be shall be effective from the date (within the specified period) they join duty after completion of the formalities as envisaged in this agreement.

(iv) It is agreed that there will be no claim whatsoever in respect of such of the workman as covered by the aforesaid reference and who have since expired.

(v) That the above agreement is in full and final settlement of all the claims of the workmen concerned in this dispute.

(vi) That the above agreement is fair just and reasonable.

(vii) That in view of the mutual agreement reached between the parties the Hon'ble tribunal is requested

to give his award in terms of this agreement. Both the parties jointly pray accordingly.

for and on behalf of employers in
relation to management of Loyabad
colliery of Bharat Coking Coal Ltd.

P. R. SINHA, General Manager
(Area-5, Sijua Area)

for and on behalf of workmen.

Loyabad (Dhanbad dist.)

General Secretary.

dated 15th July, 1981

Bihar Colliery Kamgar Union.

Annexure to the Schedule as referred to in the settlement.

Sl. Name of workmen
No.

1	2
1.	Dhaneshwar Chamar Miner
2.	Biju Mia "
3.	Chander Bhuia "
4.	Istif Mia "
5.	Karu Bhuia "
6.	Liakat Mian "
7.	Maksudan Mian "
8.	Jugal Passi "
9.	Amulya Rajak "
10.	Kashim Mian "
11.	Rupan Mian "
12.	Ishaq Mian "
13.	Rajbahadur Lohar "
14.	Rajnath Kahar "
15.	Sheonath Pandey "
16.	Kunjan Jaiswar "
17.	Rajunath Rabidas "
18.	Rajnandan Rabidas "
19.	Baiju Manjhi "
20.	Sahadeo Bouri "
21.	Ramdeo Bhuia "
22.	Amrit Bhuia "
23.	Bachhai Gope "
24.	Barka Majhi "
25.	Ram Sagar Majhi "
26.	Janardan Upadhyay "
27.	Samar Rabidas "
28.	Ram Sarup Prasad "
29.	Nagina Singh "
30.	Rameshwar Bhuia "
31.	Suraj Nath Harijan "
32.	Rupchand Bhar "
33.	Bisheshwar Singh "
34.	Bondha Chamar "
35.	Nagishwar Bhuia "
36.	Jagdish Mahato "
37.	Ramji Kumar "
38.	Kishta Mahato "
39.	Jagdish Mahato "
40.	Andhu Mahato "
41.	Gaffar Mian "
42.	Green Singh "
43.	Rajendra Pandey "
44.	Mutor Kumhar "
45.	Rahim Mian "
46.	Amulya Rajak "
47.	Ramdhani Gope "

1	2
48.	Ramdullar Keot Miner
49.	Chanilal Kachhi "
50.	Ram Sundar Jaiswara "
51.	Kedar Passi "
52.	Khedan Roy "
53.	Ramnarin Kahar "
54.	Ramsarup Passi "
55.	Latif Mian Prop. Mazdoor
56.	Sarju Thakur "
57.	Raghu Ram S/F Mazdoor
58.	Manik Bhuiya Lamp cleaner
59.	Ghanshyam Gope "

New Delhi, the 29th July, 1981

S.O. 2158.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was received by the Central Government on the 23rd July, 1981.

BEFORE MR. JUSTICE R. BHATTACHARYA, M.A. B.L.,
PRESIDING OFFICER, THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL : CALCUTTA

Reference No. 92 of 1978

PARTIES:

Employers in relation to the management of Calcutta
Port Trust, Calcutta.

AND

Their Workmen

APPEARANCES:

On behalf of the Employers—Mr. Indranil Mukherjee,
Jr. Assistant Manager.

On behalf of Workmen—Mr. Kamal Kumar Banerjee,
Executive Committee Member.

STATE: West Bengal

INDUSTRY: Port

AWARD

This is a reference under Section 10 of the Industrial Disputes Act, 1947 sent to this Tribunal by the Government of India by virtue of its Order No. L-32012(i)/78-D.IV(A) dated 28th November, 1978 for adjudication of an industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen represented by the General Secretary, Calcutta Port Shramik Union, hereinafter referred to as the "Union". The dispute has been mentioned in the schedule to the order of reference in the following terms:

"Whether the management in relation to the Calcutta Port Trust are justified in transferring Shri Santosh Bera, Stenographer, from Calcutta to Haldia? If not, to what relief is the concerned workman entitled?"

2. Today the matter was taken for peremptory hearing and at the request of the parties several documents were marked exhibits formal proof whereof being dispensed with by both the parties. The parties agreed that they would not adduce any oral evidence. The representative of the Union argued the case for sometime. After recess when I take up the matter for further hearing it is submitted by Mr. Banerjee on behalf of the Union that as the concerned workman has already been re-transferred to Calcutta from Haldia, the Union will not proceed further in the matter. It is submitted on behalf of the Union that a no dispute award may, in the circumstances, be passed.

3. I have heard Mr. Kamal Kumar Banerjee representing the Union, Mr. Paresh Bose, Assistant Secretary of the Union and Mr. Indranil Mukherjee, Jr. Assistant Manager (Personnel and Industrial Relations) on behalf of the management of the Port Trust.

4. In the circumstances of this, as prayed for by the Union, I pass a "no dispute" award.

Dated, Calcutta the 17th July, 1981.

R. BHATTACHARYA, Presiding Officer.
[No. L-32012/1/78-D.IV(A)]
NAND LAL, Desk Officer.

